

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

64-379 B3

PLAINTIFF DEMETRIUS BROWN	COURT CASE NUMBER 1:04-cv-379E
DEFENDANT BUREAU OF PRISONS	TYPE OF PROCESS SUMMONS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Bureau of Prisons
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
Home Owners Loan Corporation Building, 320 First Street, N.W.,
Washington, D.C. 20534

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Demetrius Brown
Reg. No. 21534-039
FCI RayBrook
P.O. Box 9001
RayBrook, NY. 12977

Number of process to be served with this Form 285	1
Number of parties to be served in this case	9
Check for service on U.S.A.	X

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

The Defendant is hereby summoned and required to serve upon Plaintiff, Demetrius Brown, whose address is stated above, an answer to the complaint which is herewith served upon you within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. The nature of this action is a Tort Claim for personal injuries suffered due to ETS in which relief is for ten million dollars; filed with the Clerk of Court for the Western District of Pennsylvania.

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

Demetrius Brown

11/21/05

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 3	District of Origin No. 68	District to Serve No. 16	Signature of Authorized USMS Deputy or Clerk SB	Date
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I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

Alma Lopez, Assistant General Counsel

Address (complete only different than shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Date
12/16/05
Time
250
☐ am
☒ pm

Signature of U.S. Marshal or Deputy

Signature of U.S. Marshal or Deputy #3642

Service Fee \$45.00	Total Mileage Charges including endeavors)	Forwarding Fee \$8.00	Total Charges 53.00	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS: 70 DC 13-7-05
D. Adm 12/15/2005 #1 Endeavor 1530 Euphyressent home due to inclement weather

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Demetrius Brown)
vs. Civil Action: 04-0379 Erie
Bureau of Prisons)

NOTICE OF INABILITY OF EFFECTUATE SERVICE

The Under signed Hereby certified that on 09/14/05, the Order and Complaint in the above captioned case, and the Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons were mailed to the above named defendant. No acknowledgment of service has been received, and more than 30 days has elapsed.

Thomas M. Fitzgerald
United States Marshal
Western District of Pennsylvania

CERTIFIED FROM THE RECORD	
Date	11.7.05
ROBERT V. BARTH, JR., CLERK	
By	<i>Robert V. Barth, Jr.</i> Deputy Clerk

Sheila Blessing
By: Sheila Blessing
Administrative Clerk
United States Marshals Service
Western District of Pennsylvania
October 20, 2005

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Notice of Inability to Effectuate Service,

IT IS ORDERED that the Clerk of Court prepare duplicate Summons and Complaint,

AND IT IS FURTHER ORDERED that the United States Marshal make personal service of those documents upon the above named defendant.

s/Susan Paradise
Baxter

Digitally signed by s/Susan Paradise Baxter
DN: CN = s/Susan Paradise Baxter, C = US
Date: 2005.10.25 11:04:50 -04'00'